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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/434,299	11/05/1999	JAMES A. JOHANSON	JOHANSON79-3	3784

7590 11/18/2004

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EXAMINER	
ANYA, CHARLES E	

ART UNIT	PAPER NUMBER
2126	

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No.	Applicant(s)	
	09/434,299	JOHANSON ET AL.	
	Examiner	Art Unit	
	Charles E Anya	2126	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 27 September 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

a) ☐ The period for reply expires _____months from the mailing date of the final rejection.

b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
   (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ they raise the issue of new matter (see Note below);
   (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.
   NOTE: _____.
3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: *None*.

   Claim(s) objected to: *None*.

   Claim(s) rejected: *1-17*.

   Claim(s) withdrawn from consideration: *None*.
8. ☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

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Continuation of 5. does NOT place the application in condition for allowance because:

1. Applicant's arguments filed 6/01/04 have been fully considered but they are not persuasive.

2. In the remarks, Applicant argued in substance that (1) the Eaton prior ad reference teaches the use of memory by a single processor and as such the memory is not shared, (2) the Eaton prior art reference does not teach passage of data from one processing unit to another processing unit; (3) there is no motivation to combine the teachings of Eaton and Feemster, (4) the combination of Eaton and Feemster fails to teach first and second mailbox portions both defined in part over common memory addresses and the first mailbox addressably filling upwards through the a highest physical address of the common memory and second mailbox addressably filling downward through to a lowest physical address of the common memory.

3. Examiner respectfully traverses Applicant's remarks:
A. As to point (1), as Applicant rightfully acknowledged the Eaton prior art reference, though in the very last paragraph, discloses multiple processors that share common memory, thus negating the argument that the memory of the Eaton prior ad reference is used by a single processor.
B. As to point (2), although Eaton is silent with reference to passing data between multiple processors, the Feemster explicitly teaches passing data between prcoessors (see Abstract, figure 2 Col. 5 Ln. 45 - 67, Col. 6 Ln. 16 - 30, figures 3/4/5 Col. 7 Ln. 38 - 67, Col. 8 Ln. 8 - 56).
C. As to point (3), In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See In re Fine, 837 F.2d 1071, 5 USPQZd 1596 (Fed. Cir. 1988) and In re Jones, 958 F.2d 347, 21 USPQZd 1941 (Fed. Cir. 1992). In this case, firstly, the two systems provide a common memory shared by multiple processors therefore making the two systems analogous. The Examiner does not suggest that the system of Eaton and Feemster would physically be combined to reach Applicant's invention. Examiner's point is that the idea of common memory that addressably fills upward through the highest physical address of the common memory and addressably fills downward through to a lowest physical address of the common memory is taught by Eaton.
D. As to point (4), the Eaton prior art reference explicitly teaches a common memory addressably filling upward through the a highest physical address of the common memory and addressably filling downward through to a lowest physical address of the common memory (Col. 4 Ln. 7 - 23). The fact that Eaton does not use "mailbox" to represent the addressable memory areas that grows upwards and downward does not affect the main idea of Eaton which is memory areas that grows/fills from opposite direction towards each other in a common memory.